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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,970	12/05/2002	Rizaldy Buencamino Mata	126995	3819

23413 7590 09/02/2005

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EXAMINER

DUONG, HUNG V

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 09/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,970

Applicant(s)

MATA ET AL.

Examiner

Hung v Duong

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 27-31 is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

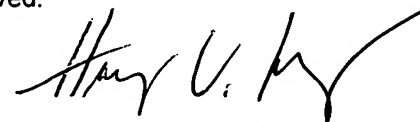
- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.


HUNG VAN DUONG
PRIMARY EXAMINER

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 9-11, 17-18, 20, 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Jenness et al. (US Pat. 5,373,300).

Regarding claims 1-3, 9-11, 17-18, 20, 26, Jenness et al disclose a monitoring device 16 comprising: a housing 12; a channel 38 disposed in the housing 12; a sensing device movable relative to the housing; and a cable 21, 30 having one end secured relative to the housing 12 and another end secured to the sensing device, a portion of the cable 21, 30 being removably disposed in and removably secured by the channel 38 for temporarily storing the cable 21, 30, a display screen 18 disposed in the housing 12, the channel 38 being disposed around at least a portion of a perimeter of the display screen 18 wherein the channel 38 is disposed around three sides of the perimeter of the display screen 18.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-8, 12-16, 19, 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jenness et al. (US Pat. 5,373,300) in view of Doherty et al (US Pat. 6,567,277).

4. Regarding claims 4-8, 12-16, 19, 21-25, Jenness et al disclose all the subject matter of the claimed invention except for the cable has a relaxed outside diameter and a stretched outside diameter, the relaxed outside diameter being greater than a width of the channel and the stretched outside diameter being less than the width of the channel wherein the cable is coiled wherein the cable is received in the channel in press-fit fashion wherein in the cable includes a resilient material forming an outer surface thereon, the resilient material being compressed by a side of the channel to secure the cable within the channel. A detent formed on a side of the channel, the detent releasably retaining the cable in the channel. However Doherty et al disclose cable has a relaxed outside diameter and a stretched outside diameter, the relaxed outside diameter being greater than a width of the channel and the stretched outside diameter being less than the width of the channel wherein the cable is coiled wherein the cable 16 is received in the channel 26 in press-fit fashion wherein in the cable 16

Art Unit: 2835

includes a resilient material forming an outer surface thereon, the resilient material being compressed by a side of the channel 26 to secure the cable 16 within the channel 26. A detent formed on a side of the channel 26, the detent releasably retaining the cable 16 in the channel 26 (see Doherty et al's figure 6). Therefore, it would be obvious to one of ordinary skill to modify cable has a relaxed outside diameter and a stretched outside diameter, the channel in press-fit fashion, and the cable includes a resilient material forming an outer surface thereon, the resilient material being compressed by a side of the channel to secure the cable within the channel. A detent formed on a side of the channel of Doherty et al into Jenness' device in order to wrap around housing with the cable.

Allowable Subject Matter

5. Claims 27-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to show that a second channel disposed in the top wall, the cable being removably disposed in the second channel.

Response to Amendment

6. Applicant's arguments filed 6/20/2005 have been fully considered but they are not persuasive. As shown on the drawing that a portion of the cable 21, 30 being removably disposed in and removably secured by the channel 38. One can assumed that the channel for temporary storing the cable. Therefore the rejection is proper.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2835

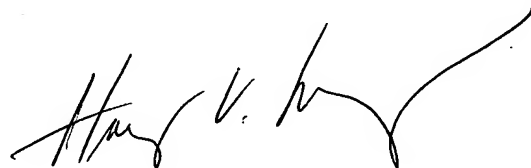
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung v Duong whose telephone number is 571-272-2041. The examiner can normally be reached on M-F from 8:30 to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Field can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HVD

8/26/05.

A handwritten signature in black ink, appearing to read 'Hung V. Duong', with a stylized flourish at the end.

Hung Duong
Primary Examiner.